

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10840092

## CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	149	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	149 minus 20 =	129
INDEPENDENT CLAIMS	4 minus 3 =	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1) (Column 2) (Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

## SMALL ENTITY TYPE ☐

## OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
XS 9=	
X43=	
+145=	
TOTAL	

RATE	FEE
BASIC FEE	770.00
XS18=	232.00
X86=	86.00
+290=	
TOTAL	3178.00

## SMALL ENTITY TYPE ☐

## OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

PATENT  
DON01 P-1120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2636  
Examiner : Donnie L. Crosland  
Applicants : John P. Drummond and Niall R. Lynam  
Serial No. : 10/694,595  
Filing Date : October 27, 2003  
For : VEHICULAR REARVIEW MIRROR SYSTEM WITH MICROCONTROLLER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION [37 C.F.R. 1.321(b)]**

The undersigned Disclaimant, Niall R. Lynam, is Senior Vice President and Chief Technical Officer of Petitioner and represents that he is empowered to act on behalf of the Petitioner and Assignee identified below.

Petitioner, Donnelly Corporation, 414 East Fortieth Street, Holland, Michigan 49423, is the Assignee and owner of the entire right, title and interest in and to the above-identified application and invention. This application is a continuation of prior application Serial No. 10/134,716, filed on April 29, 2002, now U.S. Patent No. 6,639,519, which is a continuation of application Serial No. 09/820,013, filed on March 28, 2001, now U.S. Patent No. 6,396,408, which claims benefit of application Serial No. 60/196,577, filed on March 31, 2000. The Assignment to Petitioner for the present application was recorded at Reel 011930, Frame 0669.

Petitioner and Assignee state that the evidentiary document, namely the Assignment, has been reviewed, and Petitioner hereby certifies that, to the best of its knowledge and belief, title is in the Assignee seeking to take the below action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term of United States Patent No. 6,639,519, which issued on October 28, 2003, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No.

Applicants : John P. Drummond and Niall R. Lynam  
Serial No. : 10/694,595  
Page : 8

Remarks:

The remarks and the Terminal Disclaimer presented herein are believed to be fully responsive to the Office Action mailed December 14, 2004. Claims 40-123 are pending in the application. The specification has been amended to update several incorporated patent applications, which have now issued as United States patents.

DOUBLE PATENTING REJECTION:

Claims 40-123 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 147-196 of U.S. Patent No. 6,639,519. Enclosed herewith is a Terminal Disclaimer with respect to U.S. Patent No. 6,639,519. The basis for the double-patenting rejection is obviated. Accordingly, withdrawal of the rejection of claims 40-123 is respectfully requested.

Please charge Account No. 22-0190 for the \$130 terminal disclaimer fee due and for any additional fees which may be due. A duplicate copy of this sheet is attached.


Applicants thus respectfully submit that claims 40-123 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

JOHN P. DRUMMOND and  
NIALL R. LYNAM

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

Date: March 11, 2005

  
Timothy A. Flory  
Registration No. 42 540  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2851 Charlevoix Drive, S.E., Suite 207  
P.O. Box 888695  
Grand Rapids, Michigan 49588-8695  
(616) 975-5500

TAF/slg